

Application No. 10/596,025
Amtd. Dated: January 26, 2009
Reply to Office Action Dated: December 2, 2008

REMARKS/ARGUMENTS

The Examiner is thanked for the Office Action mailed December 2, 2008 and for the telephone conference on January 22, 2009. The status of the application is as follows:

- Claims 1-21 are pending, claims 1, 3-4 and 19-20 have been amended, claim 14 has been cancelled and claim 21 has been added;
- Claims 1, 3, 4, 6, 12 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Vekstein et al. (US-5,134,639);
- Claims 2 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vekstein et al.; and
- Claims 5, 7-11, 13, 15 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vekstein et al. in view of Tsang et al. (Electro-optical modulators in particle detectors).

The rejections are discussed below.

The Rejection of Claims 1, 3, 4, 6, 12 and 14 under 35 U.S.C. 102(b)

Claims 1, 3, 4, 6, 12 and 14 stand rejected under 35 U.S.C. 102(b) as being anticipated by Vekstein et al. This rejection should be withdrawn because Vekstein et al. does not teach each and every element as set forth in the subject claims and, therefore, does not anticipate claims 1, 3, 4, 6, 12 and 14.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). MPEP §2131.

Applicants thank the Examiner for the telephone conference on January 22, 2009, wherein the undersigned and the Examiner discussed **claim 1**. Claim 1 has been amended herein in accordance with the Examiner's suggestions. As such, it is believed that claim 1 is now in condition for allowance. Therefore, the withdrawal of the rejection and allowance of claim 1 are requested.

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Claim 3 has also been amended in light of the telephone conference and now recites that the electrical unit further comprises a digital-to-analog converter and a serial-to-parallel converter that generates a parallel analog detector module input signal.

Claim 4 has been amended herein as a consequence of the amendments made to claims 1 and 3.

Claims 6 and 12 depend directly from claim 1 and are allowable at least by virtue of their dependencies.

The Rejection of Claims 5, 7-11, 13, 15 and 17-20 under 35 U.S.C. 103(a)

Claims 5, 7-11, 13, 15 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vekstein et al. in view of Tsang et al. This rejection should be withdrawn because the combination of Vekstein et al. and Tsang et al. does not establish a *prima facie* case of obvious with respect to the subject claims.

The rationale to support a conclusion that the claim would have been obvious is that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed. *KSR International Co. v. Teleflex Inc.*, 550 U.S. ____ (2007) MPEP §2143.

Claims 19 and 20 have been amended to include aspects similar to those recited in claim 1. As such, it is believed that claims 19 and 20 are now in condition for allowance. Withdrawal of the rejection and allowance of these claims is respectfully requested.

Claims 5, 7-11, 13, 15 and 17-18 all depend from claim 1 directly or indirectly, respectively, and are allowable at least by virtue of their dependencies.

Cancelled Claim

Claim 14 has been cancelled herein without prejudice or disclaimer. As such, the rejection of claim 14 is moot. It is noted that applicants have cancelled claim 14 from further consideration in this application not for issues of patentability, but for facilitating expeditious prosecution by the Examiner. Applicants are not conceding in this application that the cancelled claims are not patentable over the art cited by the Examiner. Applicants respectfully reserve the

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right to pursue the cancelled claim and/or other claims in one or more continuations and/or divisional patent applications.

New Claim 21

Newly added claim 21 depends from claim 19 and emphasizes various aspects which are absent from the prior art. No new matter has been added. Entry and allowance of claim 21 is respectfully requested.

Other Claims

The claims not addressed above directly or indirectly depend from claim 1 and are allowable at least by virtue of their dependencies. Hence, the rejection of all these claims should be withdrawn.

Conclusion

In view of the foregoing, it is submitted that the claims distinguish patentably and non-obviously over the prior art of record. An early indication of allowability is earnestly solicited.

Respectfully submitted,



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